

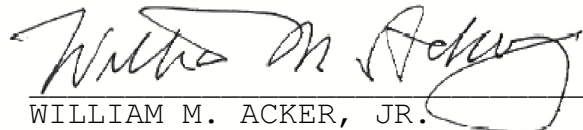
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

GORDON NEELY, as	}	
Administrator of the Estate	}	
of VICKY NEELY, deceased,	}	
	}	CIVIL ACTION NO.
Plaintiff,	}	03-AR-0002-S
	}	
v.	}	
	}	
L. PERRIGO COMPANY, et al.,	}	
	}	
Defendants.	}	
	}	

MEMORANDUM OPINION AND ORDER

The motion filed by defendant, L. Perrigo Company ("Perrigo"), on January 30, 2006, to compel plaintiff to produce his proposed expert witness, Dr. Gary Zaloga, for deposition, was heard at the court's regular motion docket on February 17, 2006. Because counsel suggested that the parties could work out the problem, the court passed the motion in the hope that it would become moot. With that hope not having been realized, the motion is GRANTED, with the following limitations. If plaintiff produces Dr. Zaloga for deposition at a location in the place where he resides, Perrigo shall be required to conduct the deposition there. The place of the deposition shall be chosen by plaintiff, but the deposition shall be arranged by plaintiff and completed by Perrigo **by 4:30 p.m., April 21, 2006**, or Dr. Zaloga will be precluded from testifying in the case.

DONE this 17th day of March, 2006.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE